REMARKS

The following remarks are made in response to the Non-Final Office Action mailed September 16, 2009. Claims 1-31 were rejected. With this Amendment and Response, claims 1, 4, 6-8, 10, 17-29 have been amended. Claims 15 and 31 have been cancelled without prejudice. Claims 1-14 and 16-30 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 101

The Examiner rejected claims 1-31 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Amended independent claims 1 and 17 are directed to statutory subject matter.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 101 rejection to the claims.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claim 15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has cancelled dependent claim 15 without prejudice. Therefore, the rejection to this claim under 35 U.S.C. § 112, second paragraph, no longer applies.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over the Ann U.S. Patent Application Publication No. 2002/0198727 ("Ann") in view of the Northcutt U.S. Patent Application Publication No. 2003/0126001 ("Northcutt").

Ann is directed to a system and method of modeling an enterprise and its objectives and its information technology system into a single enterprise framework so that the effect of changes in one can be seen as impacting the other.

Applicant respectfully submits that Ann fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management

11

(CLAM) tool operable to, in a capture phase, associate items of IT infrastructure with roles within the enterprise such that each role within the enterprise is associated with one or more predetermined items of IT infrastructure, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, organization units 312 have roles and responsibilities 314 which relate to processes 316 that are enablers for capabilities 304. Generally, as shown in Figure 5, the roles and responsibilities 314 box is connected to the user groups 334 box, where the IT architecture 74 includes application software 330, which processes data 332 and supports the user groups 334. However, Applicant has found no teaching or suggestion, in the Examiner identified paragraphs of 41, 43, 44, and 46 or anywhere else in Ann, to associate items of IT infrastructure with roles within the enterprise **such that each role within the enterprise is associated with one or more predetermined items of IT infrastructure.**

Applicant also submits that Ann fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign roles to one or more employees of the enterprise such that each of the one or more employees is associated with one or more roles and is assigned the one or more predetermined items of IT infrastructure associated with each of these one or more roles, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In Ann, the organization section 130 includes a structure of the business organization, the IT organization, and the roles and responsibilities of members of the organization. Also, the IT architecture 74 includes application software 330, which processes data 332 and supports user groups 334. However, Applicant has found no teaching or suggestion in the Examiner identified paragraphs 33 and 46 or anywhere else in Ann to assign roles to one or more employees of the enterprise **such that each of the one or more employees is associated with one or more roles and is assigned the one or more predetermined items of IT infrastructure associated with each of these one or more roles.**

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to in a modeling phase, automatically model a change in the items of IT infrastructure assigned to one or more

12

Amendment and Response
Applicant: Robert F. Sheppard
Serial No.: 10/763,072
Filed: January 21, 2004
Docket No.: 200901410-1
Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

impacted employees of the enterprise, as recited in amended independent claim 1, and as
recited in a variant thereof in amended independent claim 17. In contrast, Ann generally
describes that changes, when seen in the context of an enterprise-wide framework, allow the
impact of proposed changes to be assessed prior to implementation. This does not describe
automatically modeling **a change in the items of IT infrastructure assigned to one or
more impacted employees** of the enterprise.

Ann also fails to teach or suggest at least one electronic computing device configured
to execute a centralized logistics and management (CLAM) tool operable to, in a deployment
phase, automatically initiate deployment of the change in the items of IT infrastructure
assigned to the one or more impacted employees, as recited in amended independent claim 1,
and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, an
example is given where a change in a business framework may influence a change in an
information technology framework, and vice versa. The example includes putting a printed
catalog on the Internet and becoming an e-tailer, which is a decision in a business framework
that influences its capabilities and its application software, among other things. This same
business might have made a decision instead to have a presence on the web, changing its IT
architecture with the additional applications and functions to support a web presence. From
this change in its IT architecture, its capabilities and its business architecture may also
change. Thus, a change in a business framework may influence a change in an information
technology framework, and vice versa, but this example does not teach or suggest
**automatically initiating deployment of the change in the items of IT infrastructure
assigned to one or more impacted employees.**

The Examiner further relies on Northcutt in the obviousness rejection. Northcutt is
directed to a system and method for managing the workflow of request for services from a
department within an organization. A request for service input module enables one or more
requesting members of the organization to input information for a request for service from the
department by connecting to the system over a network. A database system stores
information regarding the requests for service received by the request for service input
module. A change of status input module enables a service provider participant from the
department to update the status of a request by connecting to the system over a network. A

13

signoff module enables a service provider participant and a requesting member to signoff a requested service, the participant and requesting member connecting to the system over a network.

Applicant submits that Northcutt fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a deployment phase, automatically initiate deployment of the change in the items of IT infrastructure assigned to the one or more impacted employees, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Northcutt, the system is for managing the workflow of requests for services, where the requests for services are manually input, responded to, and tracked. A request for service input module enables one or more requesting members of the organization to input information for a request for service from a department by connecting to the system over a network and the change of status input module enables a service provider participant from the department to update the status of a request for service by connecting to the system over a network. Combining this manual management and tracking system with Ann does not result in automatically initiating deployment of the change in the items of IT infrastructure assigned to the one or more impacted employees.

In view of the above, Applicant submits that all features of amended independent claim 1 and all features of amended independent claim 17 are not taught or suggested by Ann and/or Northcutt, alone or in combination. Applicant respectfully requests that the above rejection under 35 U.S.C. § 103 be withdrawn and amended independent claims 1 and 17 be allowed.

As dependent claims 2-14 and 16 further define patentably distinct amended independent claim 1, and dependent claims 18-30 further define patentably distinct amended independent claim 17, these dependent claims are also believed to be allowable over the art of record. Therefore, Applicant respectfully requests that the above rejections to the dependent claims be withdrawn and these claims be allowed.

14

Amendment and Response
Applicant: Robert F. Sheppard
Serial No.: 10/763,072
Filed: January 21, 2004
Docket No.: 200901410-1
Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 and 16-30 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-14 and 16-30 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005.

Respectfully submitted,

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PGB:cms

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15

PAGE 16/16 * RCVD AT 12/16/2009 5:22:56 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/9 * DNIS:2738300 * CSID:612 573 2005 * DURATION (mm-ss):13-12